

# BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

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SEP 28 2004

## FACSIMILE COVER SHEET

Deliver to: Wright, Norman M., USPTO Art Group: 2134  
 Facsimile No.: 703-872-9306 Date: \_\_\_\_\_  
 From: Mark R. Vatuone, Reg. No. 53,719  
 Our Docket No.: 4344P003 Number of pages 19 including this sheet.  
 Application No.: 09/545286 Filing Date: 4/7/2000  
 Docket Due Date(s): 6/30/2004 9/30/2004

Enclosed are the following documents:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Amendment: <u>Response</u> ( <u>14</u> pgs) | <input type="checkbox"/> Issue Fee Transmittal                                    |
| <input type="checkbox"/> Appeal Brief (in triplicate) ( _____ pgs)              | <input type="checkbox"/> Notice of Appeal   |
| <input type="checkbox"/> Application: _____                                     | <input type="checkbox"/> Petition for: _____                                      |
| ( _____ pgs) w/cover & abstract)  | <input type="checkbox"/> Request for Continued Examination (RCE)                  |
| <input type="checkbox"/> Assignment & Cover Sheet ( _____ pgs)                  | <input type="checkbox"/> Reply Brief ( _____ pgs)                                 |
| <input checked="" type="checkbox"/> Certificate of <u>Facsimile</u>             | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)     |
| <input type="checkbox"/> Continued Prosecution Application (CPA)                | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request       |
| <input type="checkbox"/> Declaration & POA ( _____ pgs)                         | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Drawings: _____ sheets, _____ figures                  | <input type="checkbox"/> Response to Written Opinion ( _____ pgs)                 |
| <input checked="" type="checkbox"/> Extension of Time: <u>three (3) months</u>  | <input type="checkbox"/> Terminal Disclaimer                                      |
| <input checked="" type="checkbox"/> Fee Transmittal (in duplicate)              | <input type="checkbox"/> Transmittal of Publication Fee Due                       |
| <input type="checkbox"/> IDS & PTO/SB/08 ( _____ pgs)                           | <input checked="" type="checkbox"/> Transmittal Letter                            |
| <input type="checkbox"/> Other _____  |   |

### CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Vineta T. Tufono  
 Vineta T. Tufono

9-28-04  
 Date

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$) **1,036.00**

Complete if Known

|                      |                   |
|----------------------|-------------------|
| Application Number   | 09/545286         |
| Filing Date          | April 7, 2000     |
| First Named Inventor | Kobus Jooste      |
| Examiner Name        | Wright, Norman M. |
| Art Unit             | 2134              |
| Attorney Docket No.  | 4344P003          |

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit Account Number **02-2666**Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.18, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 770      | 2001         | 385      | Utility filing fee     |          |
| 1002         | 340      | 2002         | 170      | Design filing fee      |          |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |          |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |          |
| 1005         | 180      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | (3)      |

**2. EXTRA CLAIM FEES**

|                    |    |    |   |   |       |   |         |
|--------------------|----|----|---|---|-------|---|---------|
| Total Claims       | 35 | 37 | 0 | x | 18.00 | = | \$0.00  |
| Independent Claims | 6  | 5  | 1 | x | 86.00 | = | \$86.00 |
| Multiple Dependent |    |    |   |   |       | = |         |

| Large Entity |          | Small Entity |          | Fee Description   | Fee Paid  |
|--------------|----------|--------------|----------|---|-----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |           |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                  |           |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                       |           |
| 1203         | 290      | 2203         | 145      | Multiple Dependent claim, if not paid                   |           |
| 1204         | 86       | 2204         | 43       | Reissue independent claims over original patent         |           |
| 1205         | 18       | 2205         | 9        | Reissue claims in excess of 20 and over original patent |           |
| SUBTOTAL (2) |          |              |          |   | (5) 86.00 |

\*\*or number previously paid, if greater. For Reissues, see below

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 2053         | 130      | 2053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804         | 820*     | 1804         | 820*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252         | 420      | 2252         | 210      | Extension for reply within second month                                    |          |
| 1253         | 950      | 2253         | 475      | Extension for reply within third month                                     | 850.00   |
| 1254         | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |          |
| 1255         | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     |          |
| 1404         | 330      | 2401         | 185      | Notice of Appeal   |          |
| 1402         | 330      | 2402         | 185      | Filing a brief in support of an appeal                                     |          |
| 1403         | 250      | 2403         | 145      | Request for oral hearing   |          |
| 1451         | 1,510    | 2451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453         | 1,330    | 2453         | 665      | Petition to revive - unintentional   |          |
| 1501         | 1,330    | 2501         | 668      | Utility issue fee (or reissue)   |          |
| 1502         | 480      | 2502         | 240      | Design issue fee   |          |
| 1503         | 640      | 2503         | 320      | Plant issue fee  |          |
| 1480         | 130      | 2480         | 130      | Petitions to the Commissioner  |          |
| 1807         | 60       | 1807         | 60       | Processing fee under 37 CFR 1.17(a)  |          |
| 1808         | 180      | 1808         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 770      | 1809         | 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810         | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801         | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) **950.00****SUBMITTED BY**Name (Print/Type) **Mark R. Vatuone**Signature **Mark R. Vatuone**Registration No.  
(Attorney/Agent)**53,719**

Telephone

**(408) 947-8200**

Date

**9/27/2004**Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (M/R) 02/10/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

| TRANSMITTAL FORM<br>(to be used for all correspondence after initial filing) |    | Application No.        | 09/545286         |
|--|----|------------------------|-------------------|
|  |    | Filing Date            | April 7, 2000     |
|  |    | First Named Inventor   | Kobus Jooste      |
|  |    | Art Unit               | 2134              |
|  |    | Examiner Name          | Wright, Norman M. |
| Total Number of Pages in This Submission                                     | 19 | Attorney Docket Number | 4344P003          |

  

| ENCLOSURES (check all that apply)  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input checked="" type="checkbox"/> Amendment / Response<br><br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input checked="" type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> PTO/SB/08<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><br><input type="checkbox"/> Basic Filing Fee<br><input type="checkbox"/> Declaration/POA<br><br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><br><div style="border: 1px solid black; padding: 5px;">Facsimile Cover Sheet;<br/>Certificate of Facsimile.</div> |
| Remarks  |   |   |

  

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual name                    | Mark R. Vatuone, Reg. No. 53,719<br>BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP |
| Signature                                  | <i>Mark R. Vatuone</i>   |
| Date                                       | 9/27/2004  |

  

| CERTIFICATE OF MAILING/TRANSMISSION  |                         |
|--|-------------------------|
| I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office. |                         |
| Typed or printed name  | Vineta T. Tufono        |
| Signature  | <i>Vineta T. Tufono</i> |
| Date   | 9-28-04                 |

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 06/04/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450